

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

ZENIA MILLER, AND HOME CARE
SERVICES, INC,

Defendants.

4:15CR3062

ORDER

Defendants have moved to continue the pretrial motion deadline, (filing no. 27), because the defendants' new counsel needs additional time review this case and confer with the defendant before deciding if pretrial motions should be filed. The motion to continue is unopposed. Based on the showing set forth in the motion, the court finds the motion should be granted.

Accordingly,

IT IS ORDERED:

- 1) Defendants' motion to continue, (filing no. 27), is granted.
- 2) As to **both** defendants, pretrial motions and briefs shall be filed on or before February 19, 2016.
- 3) As to **both** defendants, trial of this case is continued pending resolution of any pretrial motions filed.
- 4) A telephonic status conference with the undersigned magistrate judge will be held on February 23, 2016 at 1:30 p.m. to discuss the status of case progression and a trial setting. The court will provide conferencing instructions for the call. Defendants, defense counsel, and counsel for the government shall participate in the call.
- 5) The ends of justice served by granting the motion to continue outweigh the interests of the public and the defendants in a speedy trial, and as to **both** defendants, the additional time arising as a result of the granting of the motion, the time between today's date and February 23, 2016, shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because despite counsel's due diligence, additional time is needed to adequately prepare this case for trial and failing to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

January 26, 2016.

BY THE COURT:
s/ Cheryl R. Zwart
United States Magistrate Judge